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El Paso Networks, LLC)
)
Application for a certificate of)
local and interexchange authority)
to operate as a reseller and facilities)
based carrier of telecommunications)
services throughout the State of Illinois.)

01-0295

CHIEF CLERK'S OFFICE

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**

GENERAL

1. Applicant's Name(including d/b/a, if any)
El Paso Networks, LLC ("EPN" or "Applicant")

FEIN #: 76-066-2255

Address: Street 1001 Louisiana Street

City Houston State/Zip Texas 77002

2. Authority Requested: (Mark all that apply) X 13-403 (Facilities Based Interexchange) X 13-404 (Resale of Local and/or Interexchange) X 13-405 (Facilities Based Local)

3. Request for waivers/variances: In applications for exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting.

- X Part 710 (Uniform System of Accounts for Telecommunications Carriers)
X Part 735 (Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois)
X Section 735.180 (Directories)
X Other

EPN also requests authorization to maintain its books and records at its principal place of business in the State of Texas, pursuant to 83 Ill. Admin. Code part 250.

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:
- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document

- (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document; and
- (c) the Financial Questions for Applicants Seeking Local Exchange Authority found in Appendix C of this document; and
- (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.

Please see Appendices A, B, and C. Question 4(d) does not apply to Applicant.

5. In what area of the state does the Applicant propose to provide service?

Applicant seeks to provide services throughout the State of Illinois.

6. Please attach a sheet designating contact persons to work with Staff on the following:
- a) issues related to processing this application
 - b) consumer issues
 - c) customer complaint resolution
 - d) technical and service quality issues
 - e) "tariff" and pricing issues
 - f) 9-1-1 issues
 - g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address, if any.

Please see Exhibit 1.

7. Please check type of organization?

☐ Individual ☐ Corporation
☐ DNCship Date corporation was formed _____
In what state? _____
☒ Other (Limited Liability Company) **Formed in Delaware**

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

Applicant's certificate of formation is attached at Exhibit 2. Applicant's authority to transact business in Illinois will be forwarded under separate cover.

9. List jurisdictions in which Applicant is offering service(s).

EPN or its affiliates are authorized to provide telecommunications services in Kentucky, Massachusetts, Texas and Washington. In addition, EPN or its affiliates have applications on file and pending in Connecticut and Louisiana, and is in the process of applying for authority in Arizona, California, the District of Columbia, Colorado, Florida, Georgia, Illinois, Maryland, Michigan, Mississippi, Nevada, New Jersey, New York, Ohio, Oregon, Pennsylvania, Utah, and Virginia.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

 YES (Please provide details) **X** NO

11. Have there been any complaints or judgements levied against the Applicant in any other jurisdiction?

 YES X NO

If YES, describe fully. Not Applicable.

12. Has Applicant provided service under any other name?

 X YES NO

If YES, please list.

Applicant has not provided service in Illinois under any name. Applicant provides service in Kentucky and Texas (f/k/a Pontio Communications Company, Inc., f/k/a Waller Creek Communications, Inc.).

13. Will the Applicant keep its books and records in Illinois? YES ☒ NO ☐

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

EPN requests authorization to maintain its books and records at its principal place of business in the State of Texas, pursuant to 83 Ill. Admin. Code part 250.

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

Please see Exhibit 3.

15. List officers of Applicant.

Please see Exhibit 3.

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? YES NO

If YES, list entity. EPN will provide this information under separate cover.

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for services and details of the billings statement.)

EPN intends to bill its customers directly, on a monthly basis. The bills will specify in a detailed fashion the services that are rendered to each customer.

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

Customers with service, billing and repair questions or complaints may reach EPN at its 24-hour toll-free customer service number, 800-601-3332, for assistance. Customers may also send written inquiries and complaints to El Paso Networks, LLC, Customer Service, 1001 Louisiana Street, Houston, TX 77002. Applicant views customer satisfaction as critical to its success in the competitive market place and will address all service, billing and repair complaints and inquiries promptly. If Applicant is unable to resolve a complaint to a customer's satisfaction, Applicant will advise the customer of its right to file a complaint with the Illinois Commerce Commission.

19. Will personnel be available at applicant's business office during regular working hours to respond to inquiries about service or billing? X YES NO

20. What telephone number(s) would a customer use to contact your company?

800-601-3332

21. Will applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

 X YES NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers.

EPN will comply with Illinois law and the Federal Communications Commission's regulations regarding how interexchange carriers may change a consumer's primary interchange carrier. Applicant will also comply with the FCC's regulations regarding how carriers may change a consumer's primary local exchange provider.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 735, 755, 756, 757, 770, and 772?

Yes, however, Applicant requests for waivers of 83 Illinois Administrative Code Parts: 710, 720 and 725.

 X YES NO (If no, please provide an explanation.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

 X YES NO

FINANCIAL

25. Please attach evidence of applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

EPN is financially qualified to provide telecommunications services in Illinois. EPN has access to the financing and capital necessary to conduct its telecommunications operations as specified in this Application. EPN has available a \$500 million credit facility to fund its operations. Attached hereto as Exhibit 4 are the latest unaudited financial statements of EPN for the period ending November 30, 2000 offered in support of Applicant's financial ability to provide the proposed services in Illinois. [Filed separately under seal pursuant to Section 200.430 of the Illinois Administrative Code.]

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? X YES NO
If YES, please list:

EPN intends to provide service throughout Illinois via its own network facilities, unbundled network elements purchased from ILECs, or the resale of ILEC services. Applicant does not currently own any telecommunications facilities in Illinois. Initially, Applicant will lease the fiber optic facilities of other carriers or contract facilities, depending on current needs and market conditions.

If NO, which facility provider(s)'s services does Applicant use?

EPN has not yet determined which facility provider it intends to use.

Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, local service).

EPN will initially provide high-bandwidth, fiber optic, point-to-point capacity to Internet and telecommunications companies on a wholesale basis. EPN intends to assemble and operate a resold and facilities-based dedicated and private line fiber optic communications infrastructure. EPN seeks authority to provide resold and facilities-based local exchange and interexchange service throughout the State of Illinois, and therefore, seeks statewide authority. However, EPN will not offer local exchange services in the service areas of small and rural incumbent carriers exempt from interconnection obligations as set forth in 47 U.S.C. § 251(c).

Applicant will enable its system with the latest generation of integrated optical networking equipment that provides access, multiplexing, switch extension, and transport services to carriers and service providers. EPN may also lease dedicated and private line fiber optic communications infrastructure to large corporate and government customers for high-bandwidth secure networks. Applicant's network will be capable of using the highest commercially available capacity transmission (OC-192) and, therefore, can support advanced capacity-intensive data technologies such as frame relay and ATM as well as multimedia and Internet-related applications.

27. Will technical personnel be available at all times to assist customers with service problems?
X YES ___ NO
29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls?
_____ YES _____ NO

Applicant does not intend to provide payphone service.



Russell M. Blau

D. Anthony Mastando

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

3000 K Street, N.W. Suite 300

Washington, D.C. 20007.

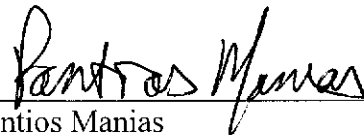
Telephone: (202) 424-7500

Facsimile: (202) 424-7645

Counsel for El Paso Networks, LLC

VERIFICATION

I, Pantios Manias, hereby declare under penalty of perjury that I am the Senior Vice President of Commercial Strategy for El Paso Global Networks Company, which is responsible for managing the operations of El Paso Networks L.L.C. I am authorized to make this verification on El Paso Networks L.L.C.'s behalf. I further certify that I have read the foregoing documents and know the contents thereof, and that the same is true of my own knowledge, except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

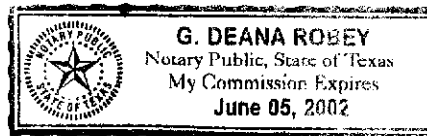


Pantios Manias
Senior Vice President of
Commercial Strategy
El Paso Global Networks Company
1001 Louisiana Street
Houston, Texas 77002

Subscribed and sworn to before me

this 18th day of January 2001.


Notary Public



My Commission Expires: June 5, 2002

EXHIBITS

Exhibit 1	Designated Contact Persons
Exhibit 2	Certificate of Formation [Certificate of Authority to Transact Business in Illinois will be forwarded under separate cover.]
Exhibit 3	Managerial and Technical Qualifications and Officers List
Exhibit 4	Financial Statements [Filed separately under seal pursuant to Section 200.430 of the Illinois Administrative Code.]
Exhibit 5	UTAC and ITAC Forms
Exhibit 6	Chart of Accounts [Filed separately under seal pursuant to Section 200.430 of the Illinois Administrative Code.]
Exhibit 7	Proposed Tariff [EPN will file a tariff at a later date under separate cover and before commencing operations under its certificate.]
Verification	